

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

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CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA.

LORENZO RAINER, #121380
Full name and prison number
of plaintiff(s)

v.

CAPT. BARRETT, Warden Terrance McDonnell

JOHNNIE DUMAS, COI,

WILLIE H. JACKSON, COI,

SGT. CARL CLAY MORGAN, COI

DORRIS VICKERS, COI
Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

CIVIL ACTION NO. 2:05CV916-T
(To be supplied by Clerk of
U.S. District Court)

DEMAND FOR JURY TRIAL

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES () NO (✓)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES () NO (✓)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) N/A

Defendant(s) N/A

2. Court (if federal court, name the district; if state court, name the county) N/A

3. Docket number N/A
4. Name of judge to whom case was assigned N/A
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) N/A
6. Approximate date of filing lawsuit N/A
7. Approximate date of disposition N/A

II. PLACE OF PRESENT CONFINEMENT Kilby Correctional Facility, P.O. Box 150, Mt. Meigs, Alabama 36057-0150

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED Dining Hall/Main Hallway at Kilby Correctional Facility

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

- | NAME | ADDRESS |
|--|---------|
| 1. <u>Warden Terrance McDonnell, Kilby Corr. Fac., P.O. Box 150, Mt. Meigs AL 36057-0150</u> | |
| 2. <u>Capt. Barrett, Kilby Corr. Fac., P.O. Box 150, Mt. Meigs AL 36057-0150</u> | |
| 3. <u>Johnnie Dumas, COI, Kilby Corr. Fac., P.O. Box 150, Mt. Meigs AL 36057-0150</u> | |
| 4. <u>Willie H. Jackson, COI, Kilby Corr. Fac., P.O. Box 150, Mt. Meigs AL 36057-0150</u> | |
| 5. <u>Sgt. Carl Clay, Kilby Corr. Fac., P.O. Box 150, Mt. Meigs AL 36057-0150</u> | |
| 6. <u>Doris Vickers, COI, Kilby Corr. Fac., P.O. Box 150, Mt. Meigs AL 36057-0150</u> | |
| 7. <u>MORGAN, COI, Kilby Corr. Fac., P.O. Box 150, Mt. Meigs AL 36057-0150</u> | |

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED on or about June 3, 2005

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: Defendants used excessive force against paralyze Plaintiff in violation of Plaintiff Eighth and Fourteenth Amendment Rights of U.S. Constitution, and acting under color of State law §14-3-13 Coupled with Admin. Reg. #207 used profanity with inmate Plaintiff. Plaintiff invoke 42 USCS §§ 1985, 1986, 1988 and 18 USCS §§ 241 and 242.

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

On June 3, 2005 defendants Johnnie Dumas, Willie H. Jackson, Carl Clay, Morgan and Doris Vickers conspire with defendant Dumas by holding paralyze Plaintiff wrists and legs while defendant Johnnie Dumas maliciously beat paralyze Plaintiff Rainer with defendant Jackson baton, and to shield the excessive use of force, wrote paralyze Plaintiff disciplinary for assault + insubordination numbers KCF 05-3921 - KCF 05-3921.

GROUND TWO: On June 20, 2005 defendant Carl Clay illegally administered oaths, recklessly ignore the violation of excessive use of force and failure to follow standard procedure of Admin. Reg. #403 service of process, in conspiracy with other defendants.

SUPPORTING FACTS: On June 20, 2005 in conspiracy with defendants Dumas, Jackson, and Vickers, defendant Clay recklessly and illegally administered oaths, ignored excessive use of force on paralyze Plaintiff Rainer by using erroneous facts and perjured testimony to shield the violations and issued a verdict of guilt.

^{Terrance McDonnell and,}
GROUND THREE: Defendant Barrett without any personal investigation into the matter conspire with other defendants with approval contrary to Admin. Reg. #403 in order to cover up violation of excessive use of force.

SUPPORTING FACTS: On June 21, 2005 defendant Barrett acted in concert with other above defend by signing off on the excessive use of force disciplinary issued to shield the violation, and defendant Terrance McDonnell failed to conduct any investigation of these cruel and unusual excessive force used by his staff or the malicious prosecution and punitive segregation to shield the violation

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

Plaintiff seek a jury trial pursuant to the 7th Amend. U.S.C.A. Const., Fed. R. Civ. Proc. 38, and for punitive Segregation, treatment, and loss of 8th and 14th Amend. rights on the punitive basis plaintiff seek Two (2) Million dollars in damages, and Federal Criminal Conspiracy Prosecution for interference of civil rights.

Lorenzo Rainer

Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on 9-21-05

(Date)

Lorenzo Rainer

Signature of plaintiff(s)